

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

SIDNEY MANES, as Administrator of the
Estate of Hector Rivas,

Plaintiff,

-against-

ONONDAGA COUNTY, WILLIAM
FITZPATRICK, DR. ERIK MITCHELL, and
"JOHN DOES 1-10",

Defendants.

**STIPULATION AND
PROTECTIVE ORDER**

No. 5:19-cv-00844 (BKS/TWD)

WHEREAS on January 27, 2023, the Court entered an Order ("the Order") concerning records maintained by the New York State Department of Health ("DOH") concerning Defendant Dr. Erik Mitchell that Plaintiff subpoenaed in this matter and the Court reviewed *in camera* ("the records"); and

WHEREAS the Court found the records relevant and not unduly burdensome for the DOH to produce; and

WHEREAS the Court directed DOH to produce the records subject to a stipulated protective order;

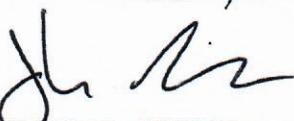
NOW, IT IS HEREBY STIPULATED AND ORDERED THAT:

1. The records shall be subject to this Stipulation and Protective Order unless and until this Stipulation and Protective Order is modified by the Court.
2. The records shall be deemed "highly confidential, for attorney's eyes only." This shall mean that the records may be viewed only by (a) the parties, (b) the parties' attorneys, (c) employees and staff of the parties' attorneys, and (d) experts retained by the parties in this case.

Additionally, the following people shall be permitted to view the records on behalf of Defendant
County of Onondaga: MARK A. VENTRONE / JOHN HEISLER, JR.

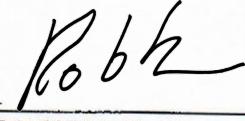
3. The DOH shall produce the records to Plaintiff as directed by the Court's Order
within twenty (20) days of the issuance of this Stipulation and Protective Order.

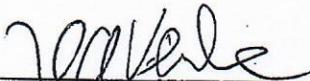
4. The parties will follow N.D.N.Y. Local Rule 5.3 before filing any of the records
under seal, if necessary, in the future.

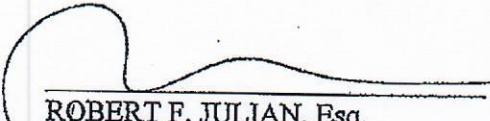
Dated: February, 2023


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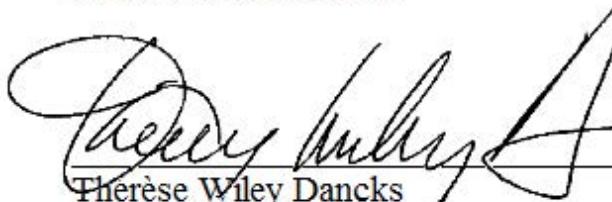

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IT IS SO ORDERED:


Therese Wiley Dancks
U.S. Magistrate Judge

Dated: 2/10/2023